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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF JOSHUA M. STEIN IN
SUPPORT OF DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S MOTION TO STAY**

Date: July 13, 2017
Time: 8:00 a.m.
Ctmm: 8, 19th Floor
Judge: The Honorable William H. Alsup

Trial Date: October 2, 2017

1 I, Joshua M. Stein, declare as follows:

2 1. I am an associate at the law firm of Boies Schiller Flexner LLP. I am a member in good
3 standing of the Bar of the State of California. I make this declaration based upon matters within my own
4 personal knowledge and if called as a witness, I could and would competently testify to the matters set
5 forth herein.

6 2. I make this declaration in support of Defendants Uber Technologies, Inc. and Ottomotto
7 LLC's Motion to Stay.

8 3. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of transcript from the
9 April 27, 2017 hearing on Defendants' Motion to Compel Arbitration.

10 4. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of transcript from the
11 March 16, 2017 case management conference in this matter.

12 5. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt of transcript from the
13 public session of the May 3, 2017 hearing on Waymo LLC's Motion for Preliminary Injunction.

14 6. A Notice of Appeal of the Court's order denying Defendants' Motion to Compel
15 Arbitration was filed by Uber Technologies, Inc. and Ottomotto LLC on May 18, 2017 (Dkt. 464).
16 Once the appeal is docketed with the United States Court of Appeal for the Federal Circuit, Defendants
17 intend to file an Emergency Motion for Expedited Proceedings in that court.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is true
19 and correct. Executed this 19th day of May, 2017, in Palm Springs, California.

20 /s/ Joshua M. Stein

21 Joshua M. Stein

22 **ATTESTATION OF E-FILED SIGNATURE**

23 I, Hamish P.M. Hume, am the ECF User whose ID and password are being used to file this
24 document. In compliance with General Order 45, X.B., I hereby attest that Joshua M. Stein has
25 concurred in this filing.

26 Dated: May 19, 2017

27 /s/ Hamish P.M. Hume

28 Hamish P.M. Hume